

REMARKS

Status of Claims:

Claims 1-7 are all of the claims currently pending in this application, all of which are rejected by the Examiner.

Drawings:

The Examiner asserts that Figures 2-7c should be designated by a legend such as --Prior Art--. Accordingly, submitted concurrently herewith is a Request for Approval of Proposed Drawing Corrections, wherein Figures 2-7c are amended to include such legend.

Claim Objections:

The Examiner objects to claims 1-5 for various informalities regarding antecedent basis. Accordingly, the claims are hereby amended to overcome the objection. In particular regard to claim 2, the Examiner asserts that the "tip" referred to in claim 2 is not the "tip" referred to in claim 1. Applicant respectfully submits that the "tip" recited in claim 2 is the same "tip" recited in claim 1, thus, providing the "tip" in claim 2 with proper antecedent basis.¹ These amendments are non-limiting and are not made for prior art reasons.

35 U.S.C. §112:

The Examiner rejects claims 1-7 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Applicant respectfully traverses this rejection in view of the following remarks.

¹ The features of the claims, including the tip, are further discussed below, which should help the Examiner better understand the invention and its novelty.

In regard to claim 1, the Examiner assumes that the term “chambered” was intended to recite “chamfered.” The Examiner then states that the “term ‘chamfered’ in claims 1-7 is used by the claim to mean ‘rounded,’ while the accepted meaning is ‘beveled.’” (See page 3, lines 8 and 9, of the Office Action.) Applicant respectfully asserts that one skilled in the art would be apprised of the scope of the invention with the use of term “chamfered,” as in amended claim 1. Actually, the definition of the word “chamfered” commonly incorporates the word “bevel.” Thus, the term “chamfered” is not used in a manner repugnant to its usual meaning, even under the Examiner’s interpretation.

In regard to claim 2, the Examiner indicates that it is unclear to him what the “upper face” is intended to refer to. The Examiner’s attention is directed to Figure 1b, wherein the upper face is shown. In other words, the upper face is the face that receives pressure from the recording medium when the recording medium is being removed. A sectional view of a portion of the upper face is also shown in Figure 1c, as the top line, with the chamfered ends, and having a width of W1.

In regard to claim 7, the Examiner alleges that it is unclear if Applicant is seeking protection for an apparatus or method claim. Claim 7 is hereby amended so as to be in independent form and is directed to a recording method that utilizes the removing claw.

35 U.S.C. §103:

The Examiner rejects claims 1-7 under 35 U.S.C. §103(a) as being unpatentable over Applicant’s Admitted Prior Art (AAPA) in view of Fromm et al. (U.S. Pat. No. 5,160,130 [hereinafter “Fromm”]). Applicant respectfully traverses this rejection in view of the following remarks.

To establish a *prima facie* case of obviousness, the Examiner must show that the prior art references, when combined, teach or suggest all of the claimed features. The combination of AAPA and Fromm fails to teach or suggest all of the claimed features.

AAPA discloses a removing claw 64. The claw has a body 64a, with a rectangular cross section, and width (w) (Figure 7c). As shown in the side view of Figure 7a, the body is slanted towards a base 64b. The rectangular cross section has a height, which is reduced towards a tip (Figure 7a).

Fromm discloses a stripper finger 100. The stripper finger is shown in Figures 3A and 3B. Figure 3A is a side view. Figure 3B is a top view. The stripper finger has a tapered portion 108 that is slanted towards what Fromm calls the tip 110. A main focus of the stripper finger 110 is the slanted portion 108 works like a "spatula" for "lifting food off of a frying-pan." (See col. 7, line 6.)

Both AAPA and Fromm fail to disclose the novel aspects of the present invention. AAPA has a rectangular cross section with a height that is reduced towards a tip. Also, Fromm may disclose a rectangular cross section with a height that is reduced towards a tip. Although Fromm does not pictorially represent such a cross section, if the stripper finger 100 of Figure 3A was cut like Figure 1a of the present invention, along line I-I', an end view of the cut portion may have shown a rectangular cross section. However, neither AAPA nor Fromm teaches or suggests a structure wherein a rectangular cross section thereof has an upper side, where both ends of the upper side are chamfered, as shown in Figure 1c.

It appears that the Examiner is asserting that the disclosure of Figure 1c of the present invention is taught by the disclosure of Figure 3B of Fromm. However, these figures do not represent similar views. Figure 3C of Fromm is a top view of the stripper finger 100. A portion 108 of the stripper finger is tapered. The tapered portion is what is shown in Figure 3A with a side view. The claw in Figure 1a of the present invention also shows a tapered portion. However, Figure 1c of the present invention is not a top view of the claw in Figure 1a. Instead, Figure 1c is a view along the line I-I' in Figure 1. Thus, if a cut were to be made along the dotted line of I-I', and then the cut section was viewed by looking at the face of the cut, the view would look rectangular with an upper side having chamfered ends. It is this rectangular shape

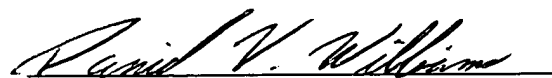
having an upper side with chamfered ends that is shown in Figure 1c. There is no disclosure in Fromm that indicates that a side having chamfered ends would be present if Figure 3A were cut along lines similar to that of Figure 1a of the present invention. The mere existence of the tapered portion 108 does not teach an upper side having chamfered ends, as in the present invention. Further, one skilled in the art would not have been motivated to provide the chamfered features of the present invention in light of the tapered section 108 of Fromm.

Consequently, claims 1, 4 and 7 are patentable over AAPA in view of Fromm, and the rejection of claims 1, 4 and 7 under 35 U.S.C. §103(a) should be withdrawn. Dependent claims 2, 3, 5 and 6 also are patentable over these references, at least by virtue of their respective dependencies on independent claims 1 and 4.

In view of the preceding amendments and remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned attorney at the local telephone number listed below.

The USPTO is directed and authorized to charge all required fees (except the Issue Fee and/or the Publication Fee) to our Deposit Account No. 19-4880. Please also credit any overpayment to said Deposit Account.

Respectfully submitted,



Daniel V. Williams
Registration No. 45,221

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860
Date: October 7, 2002

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

1. (Amended) A recording apparatus comprising:

removing means for removing a recording medium from the medium fixing member, said recording medium being fixed to a medium fixing member such that an active surface of the recording medium is facing to the medium fixing member,

wherein the removing means has a removing claw, the removing claw having a rectangular cross section with a height reduced toward a tip and both ends of an upper side of the rectangle being ~~chambered~~ chamfered.

3. (Amended) The recording apparatus according to claim 1, wherein the recording medium comprises a toner and an image receiving sheet, the toner sheet is of a thin film transfer type.

7. (Amended) A recording method utilizing a ~~in the~~ recording apparatus having a removing claw ~~according to any one of claims 1 to 3~~, comprising the steps of:

fixing the image receiving sheet onto the medium fixing member, said image receiving sheet having a an image receiving layer to receive an image of a recorded image;

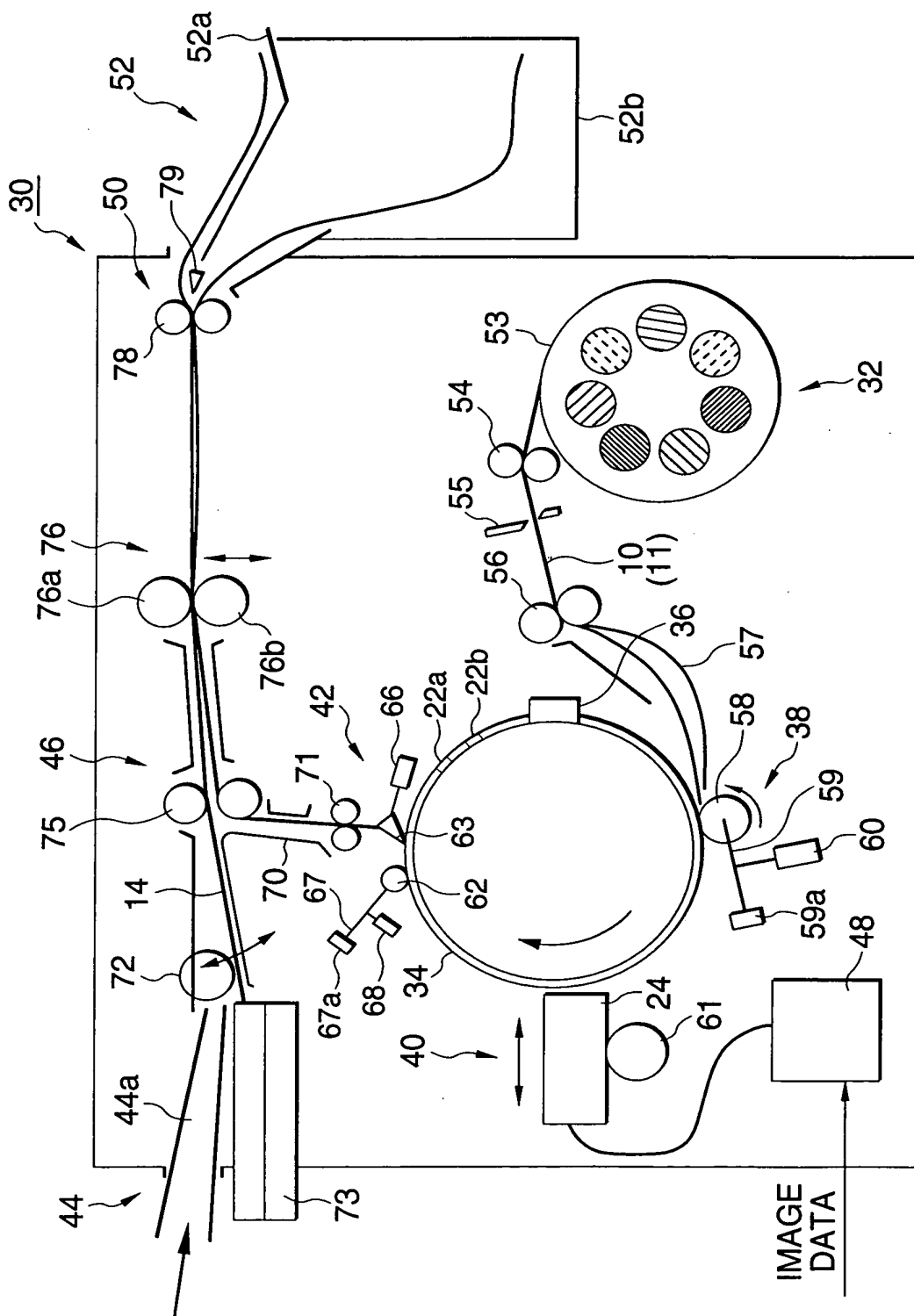
fixing the toner sheet onto the image receiving sheet; and

removing the toner sheet or the image receiving sheet from the medium fixing member using a removing claw, the removing claw having a rectangular cross section with a height reduced toward a tip and both ends of an upper side of the rectangle being chamfered, such that the toner sheet or the image receiving sheet applies a pressure to an upper face of the removing claw including the chamfered ends of the upper side upon removal.



$\Delta L + i$

FIG. 2



3/7

--Prior Art--

FIG. 3(a)

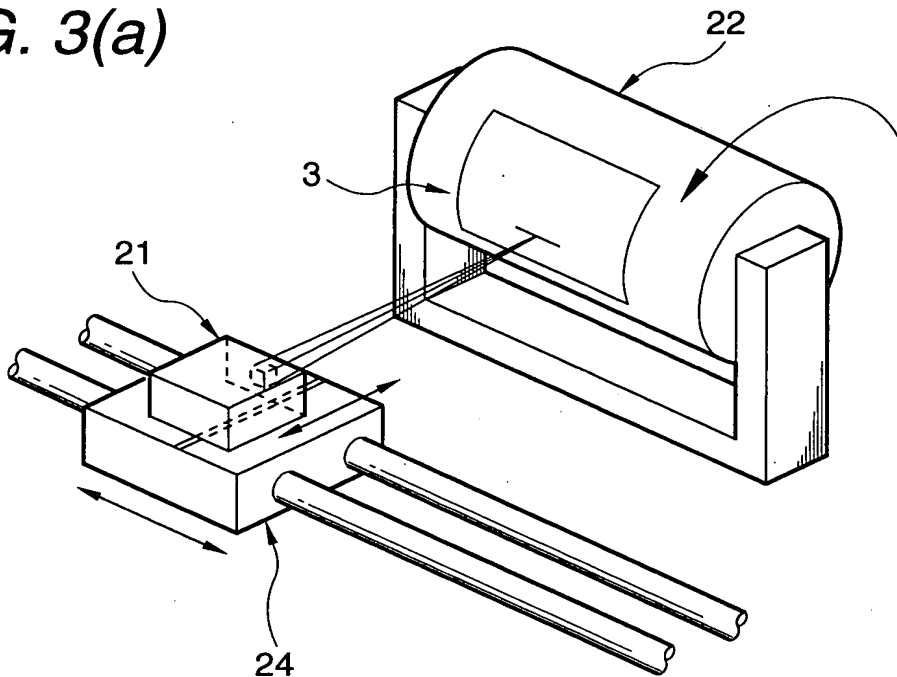
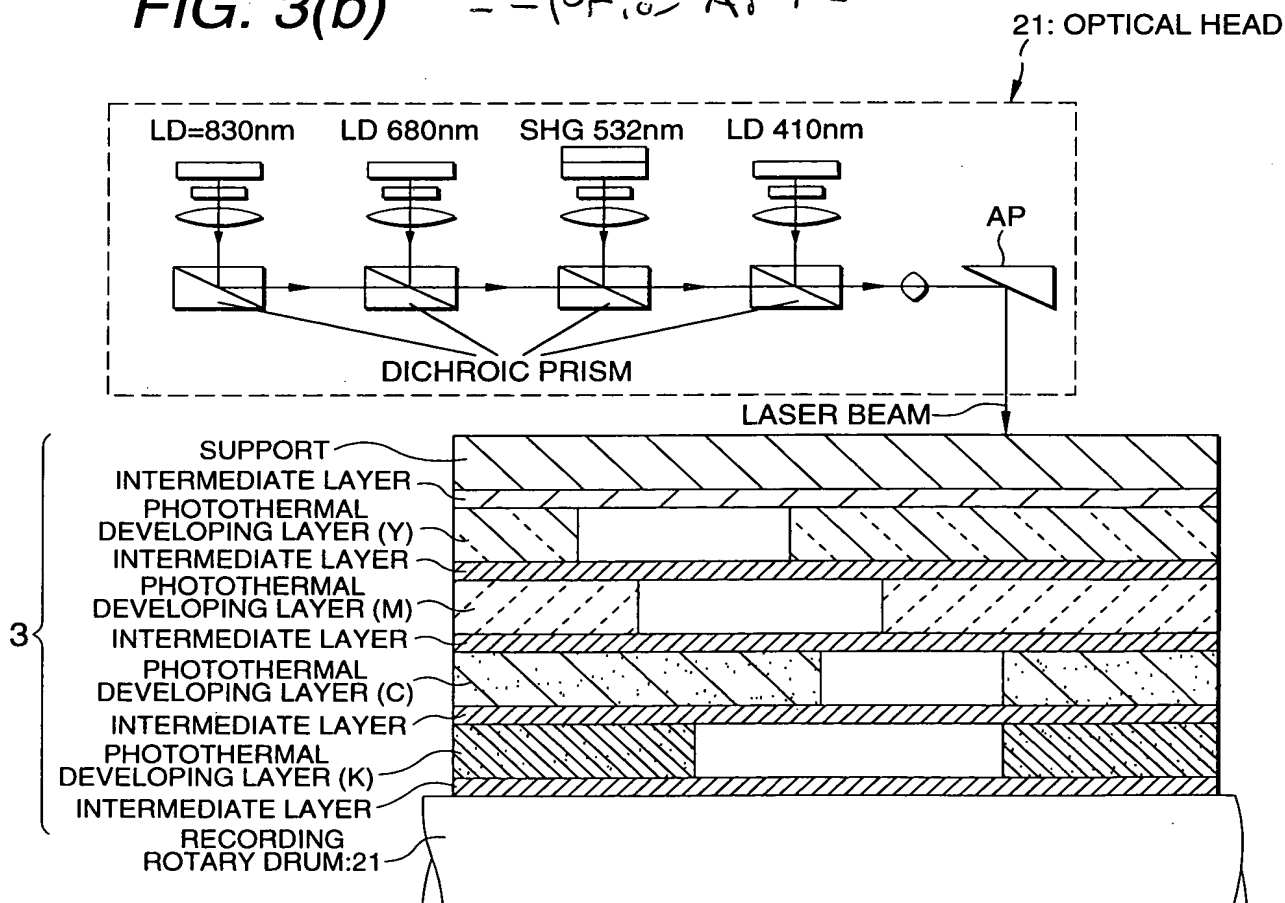


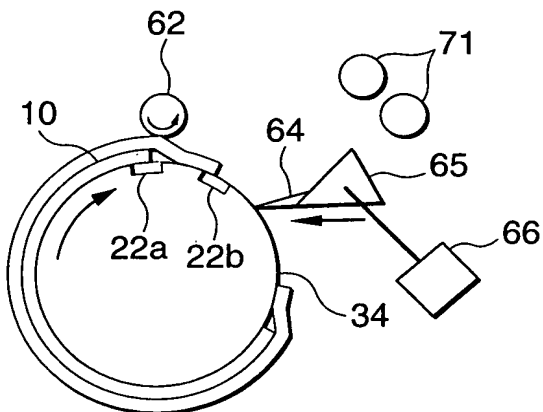
FIG. 3(b)

--Prior Art--



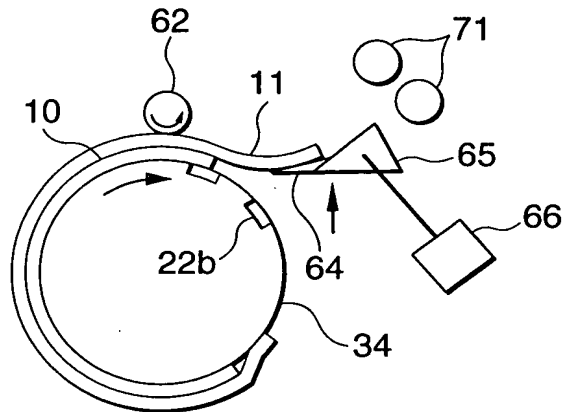
-- Prior Art --

FIG. 4(a)



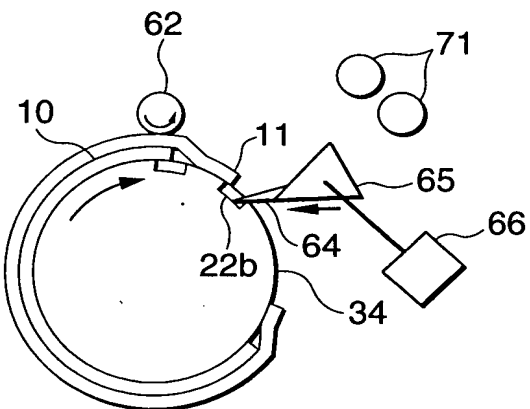
-- Prior Art --

FIG. 4(d)



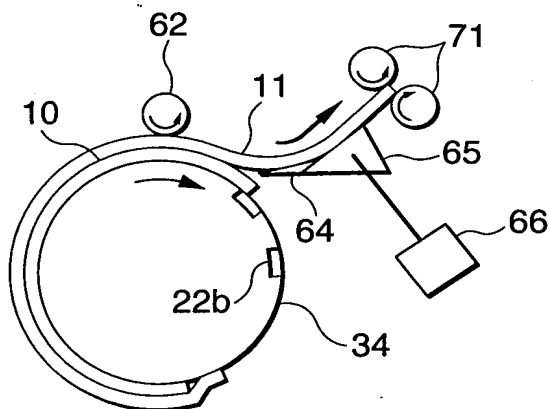
-- Prior Art --

FIG. 4(b)



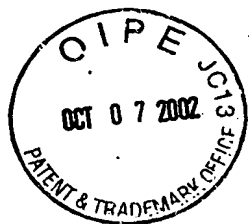
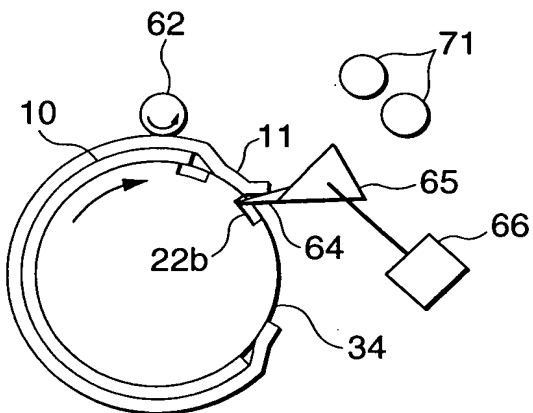
-- Prior Art --

FIG. 4(e)



-- Prior Art --

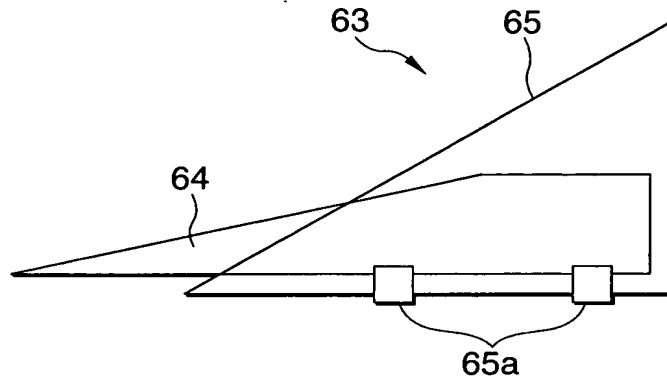
FIG. 4(c)





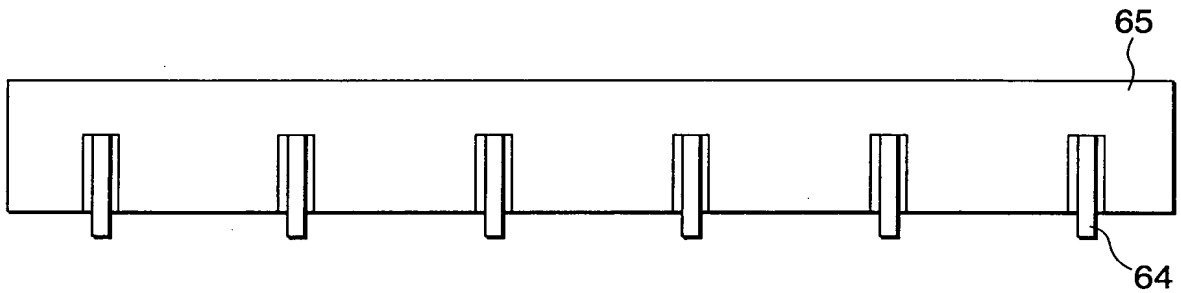
-- Prior Art --

FIG. 5(a)



-- Prior Art --

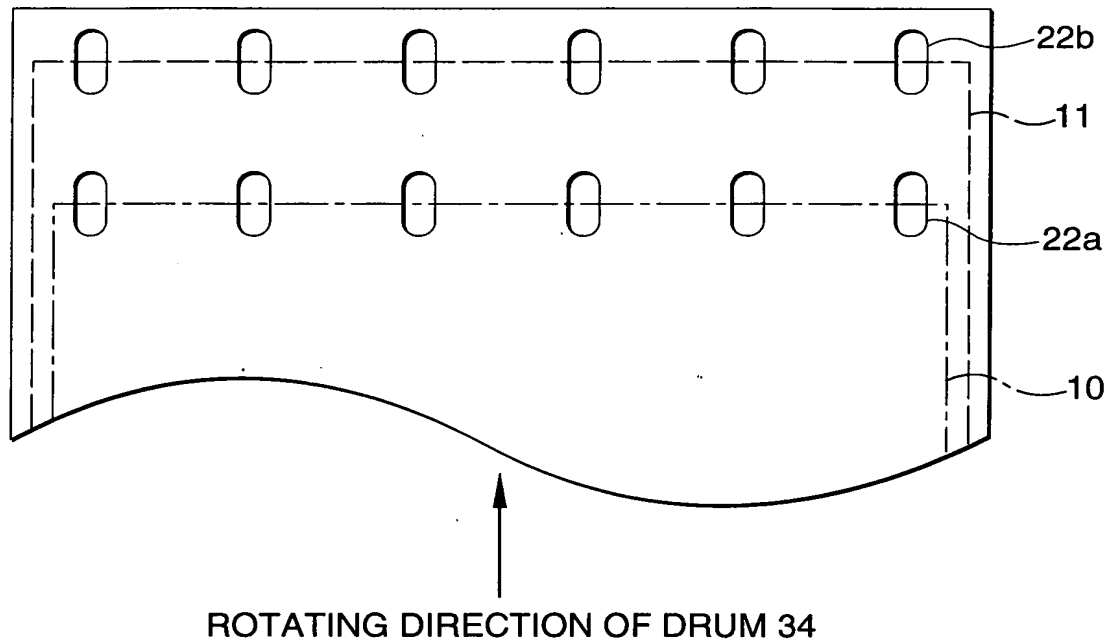
FIG. 5(b)





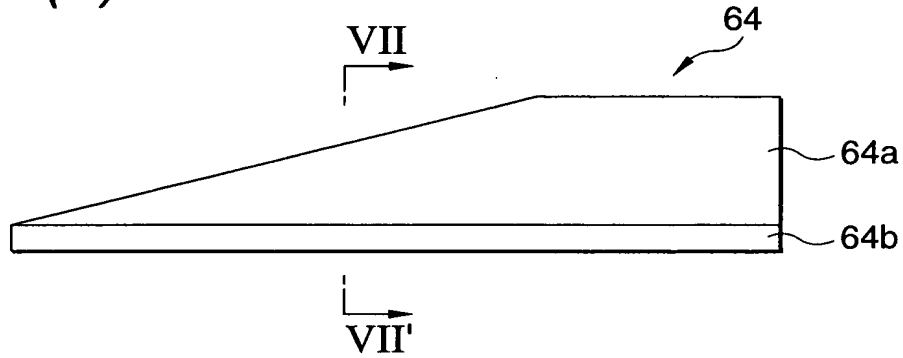
-- Prior Art --

FIG. 6



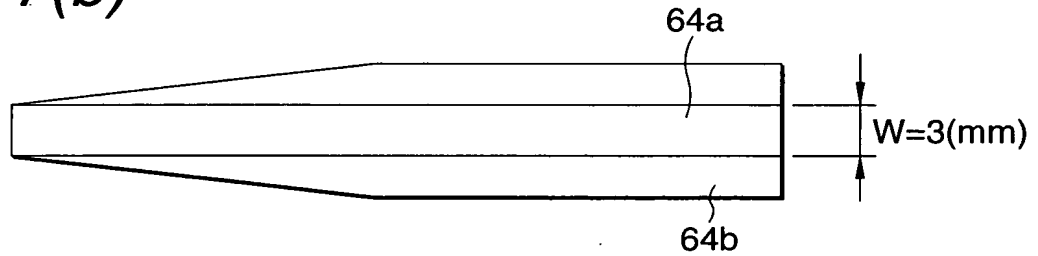
--Prior Art--

FIG. 7(a)



--Prior Art--

FIG. 7(b)



--Prior Art--

FIG. 7(b)
C

